

FISCAL MEMORANDUM

HB 1141 – SB 1881

May 23, 2007

SUMMARY OF AMENDMENT (009334): Adds language to the original bill requiring the expungement of public records of a person arrested or charged with a misdemeanor offense while protesting the legalization or performance of abortion procedures if such charge was dismissed, the court entered a nolle prosequi in the case, no true bill was returned by a grand jury, a mistrial was declared or a verdict of not guilty was returned, the person was arrested and released without being charged, or if five years or more have elapsed since the date of conviction and the petitioner has not been convicted of any other offense and the district attorney general does not file an objection within 20 days of receipt of such petition.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$103,200/State Prosecution Fund

Decrease Local Govt. Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$103,200/State Prosecution Fund

Decrease Local Govt. Expenditures – Net Impact – Not Significant

Assumptions applied to amendment:

- During FY06, the Department of Correction (DOC) reimbursed local governments \$258,000 for room and board of jurors based on a maximum of \$500 per day. The maximum daily amount was increased effective July 1, 2006, to \$1,000. DOC estimates increasing the maximum daily amount to \$1,200 will result in an increase to the Department of \$103,200 ($\$258,000 / \$500 = 516 \times \$200 = \$103,200$).
- According to the Comptroller of the Treasury, juries are rarely sequestered and the expenditures are primarily from meals. It is estimated that the local governments will not require reimbursement for the maximum amount of \$1,200 per day.
- A not significant decrease in local government expenditures as a result of an increase in the maximum reimbursement.
- The cost for the destruction of records at issue will be not significant.

- Restricting the number of individuals who would be eligible to have their records expunged under this amendment could decrease any state or local government costs associated with the cost of expungement. However, any change to the fiscal impact is estimated to be not significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible.

James W. White, Executive Director

/LSC